

May 16, 1939

Mr. Bryant W. Jones,
County Attorney, Greenlee County,
Clifton, Arizona.

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ARIZONA ATTORNEY GENERAL

Dear Mr. Jones:

We are sorry that we have been so long in answering your request of May 5, but the delay was occasioned by our inability to secure a copy of order No. A-91 issued by the Fish and Game Commission.

Replying to your inquiry it is the opinion of this office that the order in question need not be recorded in any county or the particular stream you have in mind posted. The order is an order that is statewide in its application and as such publication of the same could be made in such manner as the Commission might determine would give it general publicity. It is our understanding that the Commission had the order published in a newspaper here in Phoenix. We believe that this is sufficient and that the portion of Section 1534 Revised Code Supplement which you quote in your letter is applicable only to orders having application to local areas within the state.

It is true that the statute is worded rather loosely, but upon a study of same we believe that no other conclusion can be arrived at other than that orders of the Commission of general application need only be given such publicity as the Commission shall determine. This has been done in the instance of order No. A-91, and we believe that the same is sufficient on which to base a criminal charge for its violation.

Yours very truly,

JOE CONWAY
Attorney General

EDWARD P. CLINE
Assistant Attorney General

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EARL ANDERSON
Special Assistant
Attorney General